

Entered - 6-20-02 sb
CL 02L0434 - GWENDOLYN BURNS

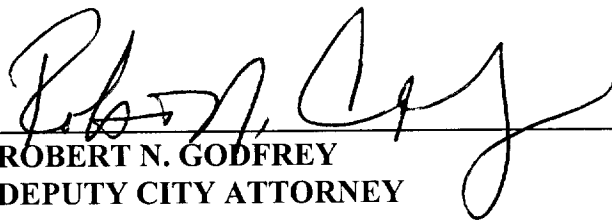
02-*L*-1326

CLAIM OF:

THE HERTZ CORPORATION
P. O. Box 268920
Oklahoma City, Oklahoma 73126

For vehicular damages alleged to have been sustained from an automobile accident on March 18, 2002 at Northside Drive & Fair Street.

THIS ADVERSED REPORT IS
APPROVED

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

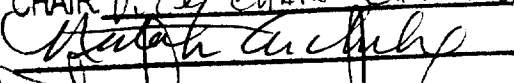
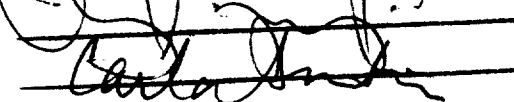
CONFIDENTIAL AUG 19 2002

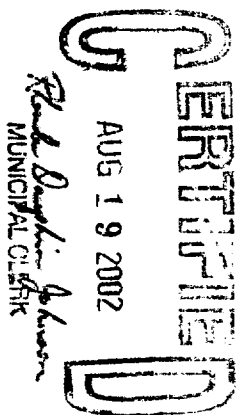
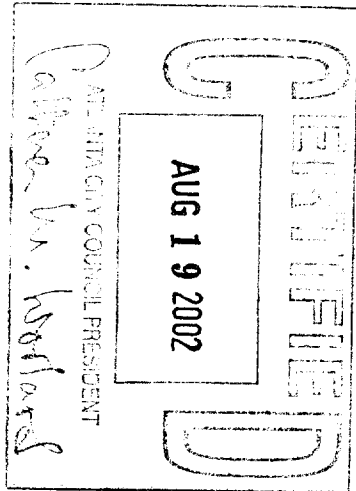
ADVERSE REPORT

COMM: P. S. L. A.

DATE: 7/30/02

CHAIR: W. Lee chair C. T. Martin





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

August 20, 2002

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

The Hertz Corporatopm
Attn: Nancy Hansen
P.O. Box 268920
Oklahoma City, Oklahoma 73126

02-R-1326

Dear Ms. Hansen:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on August 19, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0434

Date: July 15, 2002

Claimant /Victim THE HERTZ CORPORATION
BY: (Atty) (Ins. Co.) _____
Address: P. O. Box 268920, Oklahoma City, Oklahoma 73126
Subrogation: _____ Claim for Property damage \$ 6,14.80 Bodily Injury \$ _____
Date of Notice: 6/19/02 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3/18/02 Place: Northside Drive & Fair Street
Department PUBLIC WORKS Division Sewer Operations
Employee involved Willie Cleveland Disciplinary Action: _____

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was rear-ended by a City vehicle. The City driver was cited for "following too closely". However, the claimant has elected to pursue its claim through its renter driver's insurance company.


INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____
Traffic citations issued: City Driver X Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

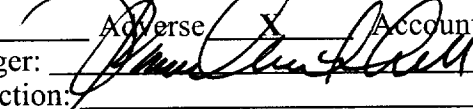
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. X Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 07-17-02
Committee Action: _____ Council Action _____

CONSENT I

08/19/02 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSESED ON CONSENT AGENDA
1. 02-O-1181	34. 02-R-1307
2. 02-O-1221	35. 02-R-1308
3. 02-O-1222	36. 02-R-1309
4. 02-O-1282	37. 02-R-1310
5. 02-O-1300	38. 02-R-1311
6. 02-O-1245	39. 02-R-1312
7. 02-O-1293	40. 02-R-1313
8. 02-O-1294	41. 02-R-1314
9. 02-O-1223	42. 02-R-1315
10. 02-O-1220	43. 02-R-1316
11. 02-O-1289	44. 02-R-1317
12. 02-O-1291	45. 02-R-1318
13. 02-O-1273	46. 02-R-1319
14. 02-O-1224	47. 02-R-1320
15. 02-O-1232	48. 02-R-1321
16. 02-O-1233	49. 02-R-1322
17. 02-O-1287	50. 02-R-1323
18. 02-R-1362	51. 02-R-1324
19. 02-R-1283	52. 02-R-1325
20. 02-R-1288	53. 02-R-1326
21. 02-R-1334	54. 02-R-1327
22. 02-R-1279	55. 02-R-1328
23. 02-R-1331	56. 02-R-1329
24. 02-R-1332	57. 02-R-1330
25. 02-R-1333	
26. 02-R-1338	
27. 02-R-1349	
28. 02-R-1350	
29. 02-R-1348	
30. 02-R-1303	
31. 02-R-1304	
32. 02-R-1305	
33. 02-R-1306	

1st Consent I Vote: 13 Yeas; 0 Nays (See RCS #3910)
Items Removed from Consent: 02-O-1290; 02-O-1213; 02-R-1345; 02-O-1272